



Order Filed on January 20, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c)	
ROMANO GARUBO & ARGENTIERI Emmanuel J. Argentieri, Esquire 52 Newton Avenue, P.O. Box 456 Woodbury, New Jersey 08096 (856) 384-1515 Attorney for Secured Creditor, Citizens Bank, N.A.	
JOHN J. DIGREGORIO A/K/A HUSBAND OF PATRICIA M. DIGREGORIO (DECEASED) xxx-xx-5533	
Debtor.	

Case No.: 16-23176

Chapter: 13


Judge: ABA

Hearing Date: January 10, 2017

**ORDER RESOLVING CITIZENS BANK, N.A.'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY SUBMITTED
UNDER THE CONSENT OF THE PARTIES**

The relief set forth on the following pages numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 20, 2017


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: John J. DiGregorio

Case No: 16-23176/ABA

Caption of Order: ORDER RESOLVING RELIEF MOTION

Upon consideration of (“Movant”) Citizens Bank, N.A.’s motion for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth; and Debtor having asserted opposition thereto; and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. Debtor’s post-petition mortgage arrearages for the months of July 20, 2016 through December 20, 2016 total \$2,275.02 and are broken down as follows:

7/20/16 post-petition mortgage payment - \$370.60
8/20/16 post-petition mortgage payment - \$382.95
9/20/16 post-petition mortgage payment - \$382.95
10/20/16 post-petition mortgage payment - \$370.60
11/20/16 post-petition mortgage payment - \$382.96
12/20/16 post-petition mortgage payment - \$384.96

2. Debtor shall tender the sum of \$2,275.02 directly to Movant on or before the close of business for February 28, 2017. If Debtor does not cure the post-petition arrearages as aforesaid, Movant may file a certification of default with the court on notice to all parties.

3. Commencing with the January 20, 2017 post-petition mortgage installment payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Movant as same come due.

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4. Debtor shall reimburse Movant through his Chapter 13 Plan of Reorganization as an administrative claim the sum of \$176.00 for attorney's fees and costs incurred by Movant in the prosecution of its motion for relief from stay.

5. **Thirty-Day Default Clause:** If the Debtor should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant, its successors and/or assigns, for more than (30) days from the due date, then upon certification of non-receipt of said payments in accordance herewith submitted by secured creditor's counsel, the Court shall enter an Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to secured creditor's enforcement of its State Law Foreclosure action against the realty commonly known as 105 Fox Meadow Drive, Sicklerville, NJ 08081. The order submitted to the Court will not require the consent of the debtor or the debtor's counsel regarding form or substance, however, the trustee, debtors and his counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

6. Movant shall serve a copy of the executed order on all interested parties who have not yet been served electronically by the court.